PTO/SB/21 (08-03) type a plus sign (+) inside this box --> |+| Approved for use through 08/30/03, OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE The Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. PRADEM **Application Number** 09/822,952 **TRANSMITTAL** Filing Date March 30, 2001 **FORM First Named Inventor** Charles David Claude (to be used for all correspondence after initial filing) **Group Art Unit** 1616 **Examiner Name** Konata M. George Total Number of Pages in This Submission **Attorney Docket Number** 50623.169 ENCLOSURES (check all that apply) Deposit Account 07-1850 After Allowance Communication to Authorization (for an Application) Drawing(s) In/Formal_ Sheets with Appeal Communication to Board of Postage Paid Return Postcard Submission of Drawings Transmittal Appeals and Interferences Amendment Under 37 CFR §1.312 Appeal Communication to Group Licensing-related Papers (Appeal Notice, Brief, Reply Brief) (2 pages) Amendment Transmittal Letter (in Petition Proprietary Information duplicate) (1 page) Petition to Convert to a Affidavits/declaration(s) Status Letter Provisional Application Power of Attorney, Revocation Other Enclosure(s) Petition for Extension of Time Change of Correspondence Address (please identify below): Information Disclosure Statement Terminal Disclaimer (in duplicate) with Form PTO-1449 Request for Refund and __ References Express Mail Label No. CD, Number of CD(s) EV 337 973 626US Certified Copy of Priority Remarks Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Squire, Sanders & Dempşey L.L.P. Cameron K. Kerrigan, Reg. No. 44,826 · Individual name Signature Date March 2 2004 **CERTIFICATE OF MAILING** I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: BOX AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: March 💪, 2004

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PATENT

Attorney Docket No.: 50623.00169

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Examiner:

K. George

Charles David Claude

Serial No.:

09/822,952

Art Unit:

1616

Filed:

March 30, 2001

Title:

CONTROLLED MORPHOLOGIES IN POLYMER DRUG FOR

RELEASE OF DRUGS FROM POLYMER FILMS

Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

Amendment Under 37 CFR 1.312

Dear Examiner George:

Applicant is submitting this amendment to correct typographical errors in Example 1 on page 11. The word "were" has been changed to "are" to maintain the consistency of the present tense used in the example. Additionally, "66 weight percent" was indented to read as "56 weight percent." As is obvious to one having ordinary skill in the art, there cannot be over 100 weight percent of different groups.

Accordingly, applicant respectfully request that the specification be amended as follows:

On exemplary composition that produces the drug release morphology of Figure 3c includes an EVAL polymer with 66 56 weight percent ethylene groups, 43.32 weight percent vinyl alcohol functionalities and 0.68 weight percent vinyl ether groups. The weight percent refers to the percent of the total drug release system weight. The vinyl

Attorney Docket No.: 50623.00169

ether groups were are functionalized with PEO-isocyanate, which forms a urethane linkage, using groups that have a molecular weight of a side group of 3200 g/mol. The side groups comprise 33 weight percent of the total EVAL/PEO polymer. The composition of the PEO-isocyanate blend is 75 weight percent functionalized EVAL and 25 weight percent drug. This composition gives rise to a 50 weight percent hard, bulk pause and a 50 percent drug/PEO side chain phase. The final structure is a lamellar structure.

If the Examiner has any questions or concerns, the Examiner is invited to telephone the undersigned attorney at (415) 954-0323.

Dated: 3/12/04

Squire, Sanders & Dempsey L.L.P. One Maritime Plaza, Suite 300 San Francisco, CA 94111 Telephone (415) 954-0323 Facsimile (415) 391-9887 Respectfully submitted,

Cameron Kerrigan

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